



Selendy|Gay

January 22, 2025

Via ECF and E-mail

MEMO ENDORSED

Hon. Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

**Re: *In re Tether and Bitfinex Crypto Asset Litigation*, 19-CV-09236 (KPF) –
Letter Motion to File Letter with Amended Class Certification Filings Under
Seal**

Dear Judge Failla,

We represent Plaintiffs in the above-referenced action. Pursuant to Rule 9 of this Court's Individual Rules of Practice in Civil Cases, we write to request permission to file Plaintiffs' January 22, 2025 Letter with Amended Class Certification Filings ("Letter") and the exhibits attached thereto, under temporary seal, to give Defendants an opportunity to request appropriate redactions.

Plaintiffs' Letter and the accompanying exhibits have been designated as Confidential or Attorneys' Eyes Only by Defendants pursuant to the operative Stipulation and Order for the Production and Exchange of Confidential Materials. *See* Dkt. 151. Plaintiffs take no position as to Defendants' characterization of that information as Confidential or Attorneys' Eyes Only for the limited purposes of this filing.

Plaintiffs recognize that confidential business interests must be weighed against the strong presumption of public access to the Courts. *Video Software Dealers Ass'n v. Orion Pictures Corp.* (*In re Orion Pictures Corp.*), 21 F.3d 24, 26 (2d Cir. 1994). Consistent with the Court's prior orders, *see* Dkt. 590, Plaintiffs request permission to file unsealed copies of Plaintiffs' Letter and accompanying exhibits on January 31, 2025, subject to redactions proposed by Defendants and redactions to comply with this Court's prior orders.

Hon. Katherine Polk Failla
January 22, 2025

Respectfully submitted,

/s/ Andrew R. Dunlap

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*Interim Lead Counsel and Attorneys for
Plaintiffs and the Proposed Class*

cc: All Counsel of Record (via ECF)

Application GRANTED. The Clerk of Court is directed to maintain docket entry 592 under seal, viewable to the Court and the parties only.

The Clerk of Court is further directed to terminate the pending motion at docket entry 591.

Dated: January 24, 2025
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE